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ELIMINATION OF RACISM AND RACIAL DISCRIMINATION

RIGHT OF PEOPLES TO SELF-DETERMINATION

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

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THE SITUATION IN THE OCCUPIED TERRITORIES OF CROATIA

Letter dated 28 November 1994 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

With regard to various statements and reports concerning the issue of refugees from the Republic of Croatia, and, in particular, those of Serbian ethnic origin, I have the honour to make the following statement:

The Republic of Croatia is aware of the fact that, during the recent conflict, a number of Croatian citizens of Serbian ethnic origin have left its territory or have resettled in the occupied territories of Croatia. While Croatia deplores the tragic situation which resulted in this migration of its citizens, it is also concerned by attempts to manipulate and falsely present this fact. In this regard, I wish to refer to various sources which will shed greater light on this problem.

In the report of Helsinki Watch of 21 January 1992 (vol. 4, issue 3), which dealt with the conflict in Croatia, on page 18, it is stated:

"The JNA (Yugoslav People's Army) and Serbian paramilitary groups are responsible for the displacements of thousands of people.

"Helsinki Watch is concerned that Croats, Hungarians, Czechs and others are being forced by Serbian rebels from their homes in Serbian-occupied territory in order to create purely Serbian regions in areas that are otherwise of mixed population. We are concerned that this non-Serbian population is being discriminated against and being forcibly displaced on the illegal grounds of ethnic origin. We are also concerned that displaced Serbs are being resettled in Serb-occupied territory in Croatia to consolidate Serbian control over regions captured from Croats and prevent the original non-Serbian inhabitants from returning.

"According to the Washington Post, displaced Serbs who fled from western Slavonia in November 'have since been advised by Serbian officials in Belgrade to resettle' in Serbian-occupied territory in the region of Baranja, where the most active resettlement campaign is currently taking place. Serbia plans to resettle 20,000 Serbs into 17 occupied villages in Baranja, and Serbian officials say 'they have no intention of allowing tens of thousands of displaced Croats and ethnic Hungarians to return to their Baranja homes and force out Serbian settlers ... People are to be moved to conform to the Serbian notion of where a new border' between Croatia and Serbia should be drawn.

"We are also concerned that Serbian insurgents have evacuated Serbian women and children, presumably for reasons of safety, just prior to the launching of an offensive against Croatian positions or prior to an attempt to take over Croatian government institutions and the police station in various localities, particularly in eastern Slavonia. In almost all such cases, no non-Serbs were told to evacuate an area prior to a Serbian offensive. In instances where a Croatian offensive was anticipated (such as in western Slavonia in late November, for example), Serbian forces evacuated occupied territory and demanded that the local Serbian population flee with them. In almost all cases, Serbian insurgents frightened the villagers into fleeing, claiming that Croatian 'Ustasas' were planning an attack and slaughter of the Serbian population and the burning and looting of Serbian homes, a fear reinforced by the Belgrade press. In television interviews, Serbian refugees from western Slavonia 'have themselves disputed that it was the Croats who forced them to leave their homes ... [Rather,] Serb refugees said the federal army gave them 48 hours to flee.'"

The final report of 27 May 1994 of the Commission of Experts established pursuant to Security Council resolution 780 (1992) (S/1994/674) states, in paragraph 131, that "with respect to the practices by Serbs in Bosnia and Herzegovina and Croatia, 'ethnic cleansing' is commonly used as a term to describe a policy conducted in the furtherance of political doctrines relating to 'Greater Serbia'. The policy is put into practice by Serbs in Bosnia and Herzegovina and Croatia and their supporters in the Federal Republic of Yugoslavia."

Furthermore , in paragraph 133 of the report, it is stated that "the practice of 'ethnic cleansing' is carried out in strategic areas linking Serbia proper with Serb-inhabited areas in Bosnia and Croatia". Additionally, in paragraph 138 of the report, it is stated that one of the factors which indicates the existence of a policy of "ethnic cleansing" is "the wholesale and

surreptitious departure of the Serbian population living in certain areas, which are to be 'ethnically cleansed', before the acts ... take place".

The above observations are further confirmed in an article in the Belgrade weekly Vreme of 22 November 1993, which consisted of an interview with Dragoslav Bokan, leader of the "White Eagles", a Serbian paramilitary group. That organization committed numerous war crimes in Croatia and Bosnia and Herzegovina, and Bokan's name appears on a list of suspected war criminals compiled by Helsinki Watch. In that interview, Bokan states, "Serious problems began at the end of 1991 after the withdrawal from western Slavonia. That region was first deserted by the medical personnel, then the officers, then the JNA burned down Serbian villages and forced the people to flee."

I have cited the above quotes and excerpts - whether from credible, impartial and highly respected sources, or suspected Serbian war criminals - in order to make the following points:

(a) The problem in the Republic of Croatia of refugees and displaced persons, regardless of their ethnic origins, is a consequence of Serbian aggression which was initiated by the Belgrade authorities in order to create a "greater Serbia";

(b) In the process of creating a "greater Serbia", hundreds of thousands of Croats, Hungarians, Czechs and other non-Serbs in Croatia were killed or driven from their homes, while large segments of the Serbian population in Croatia were resettled (at times forcibly) by Serb forces into the regions which had been "ethnically cleansed" of non-Serbs and which were designated to become part of a "greater Serbia";

(c) Many of the Serbs who left Croatian territory were either soldiers of the "Yugoslav People's Army", functionaries of Yugoslav Federal institutions or members of their families;

(d) Refugees who were driven from their homes as a result of a policy of murder, terror and rape cannot be equated with migrants who resettled as part of a military and political strategy of territorial expansion.

The Republic of Croatia is aware that there are many ethnic Serbs from Croatia who can legitimately be considered refugees and who left for justifiable reasons. However, we wish to stress that the origins of the problem, as well as the systematic resettlement of populations by the Serb side for the sake of territorial expansion, must be kept in mind when addressing the very important issue of refugees and displaced persons from Croatia.

I would be grateful for your kind assistance in circulating this letter as a document of the General Assembly under agenda items 93, 94, 99, 100 (c) and 148.

(Signed) Mario NOBILO
Ambassador
Permanent Representative